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| FORM PTO-1390 MODIFIED | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER 4223-8 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/590,456 |
| INTERNATIONAL APPLICATION NO. PCT/GB2005/000720 | INTERNATIONAL FILING DATE 25 February 2005 | PRIORITY DATE CLAIMED 26 February 2004 et al |

TITLE OF INVENTION
METHOD AND APPARATUS FOR GENERATING A MIST

APPLICANT(S) FOR DO/EO/US
FENTON et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2).
 - a. ☐ **WO 2005/082546** is attached hereto (pages specification, claims & abstract (claims), sheets drawings).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)
 - a. ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3).
9.
 - a. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4).
 - b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5).
Items 11 To 20 below concern document(s) or information included:
 11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13.
 - a. ☐ A FIRST preliminary amendment.
 - b. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 14. ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
 15. ☐ A substitute specification.
 16. ☐ A change of power of attorney and/or address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
 18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☒ Other items or information. **REQUEST UNDER RULE 29(C) TO ACCEPT PAYMENT AS LARGE ENTITY OF A PREVIOUS FEE PAID IN GOOD FAITH BUT ERRONEOUSLY AS SMALL ENTITY**

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| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/590,456 | | INTERNATIONAL APPLICATION NO. PCT/GB2005/000720 | | ATTORNEY'S DOCKET NUMBER 4223-8 | |
| <input checked="" type="checkbox"/> The following fees are submitted: | | | | | |
| BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): | | | | | |
| 21. <input checked="" type="checkbox"/> Basic national fee | \$300.00 (1631)/\$150.00 (2631) | | | \$ | 150.00 |
| 22. <input checked="" type="checkbox"/> Examination Fee | \$0 (1643/2643) | | | \$ | 100.00 |
| 23. <input checked="" type="checkbox"/> Search Fee | \$0 (1640/2640) | | | | |
| | \$100 (1641)/\$50 (2641) | | | | |
| | \$400 (1642)/\$200 (2642) | | | | |
| | \$500.00 (1632)/\$250.00 (2632) | | | \$ | 200.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | \$ | 450.00 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | RATE | |
| 0 -100 | 0 | /50 = 0.00 | | \$0.00 (1681) | |
| | | | | \$0.00 (2681) | |
| Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e). | | | | \$ | 65.00 |
| CLAIMS | | NUMBER FILED | # EXTRA | RATE | |
| Total Claims | 50 | minus 20 = | 30 X | \$50.00 (1615)/ | \$25.00 (2615) |
| Independent Claims | 2 | minus 3 = | 0 X | \$200.00 (1614) | \$100.00 (2614) |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | | \$360.00 (1616)/\$180.00 (2616) | |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) | | | | \$ | 0.00 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | | | | |
| Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f). | | | | + | |
| | | | | 0.00 | |
| TOTAL NATIONAL FEE = | | | | \$ | 1265.00 |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property | | | | + | |
| | | | | 0.00 | |
| Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453) | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ | 1265.00 |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be Charged: | \$ |
| <p>Adjustment date: 05/16/2007 MKAYPAGH</p> <p>08/30/2006 GFREY1 00000012 10590456</p> <p>01 FC:2631 -150.00 OP</p> <p>02 FC:2633 -100.00 OP</p> <p>03 FC:2642 -200.00 OP</p> <p>04 FC:2617 -65.00 OP</p> <p>05 FC:2615 -750.00 OP</p> <p>05/16/2007 MKAYPAGH 00000127 10590456</p> <p>01 FC:1631 300.00 OP</p> <p>02 FC:1642 400.00 OP</p> <p>03 FC:1633 200.00 OP</p> <p>04 FC:1617 130.00 OP</p> <p>05 FC:1615 1500.00 OP</p> | | | | | |
| <p>a. <input type="checkbox"/> A check in the amount of \$1265.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees.</p> <p>A duplicate copy of this form is enclosed.</p> | | | | | |

- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☒ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☐ The entire content of International Application No. **PCT/GB2005/000720** and any U.S. and foreign application(s) corresponding thereto, and , referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

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☒ **Customer Number:**

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BHD:bcf



Bryan H. Davidson

NAME

30,251

REGISTRATION NUMBER

May 15, 2007

Date